

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:21-cv-00206

Teresa Ann Chapman,
Plaintiff,

v.

Commissioner, Social Security Administration,
Defendant.

ORDER

Plaintiff Teresa Ann Chapman filed this action pursuant to 42 U.S.C. § 405(g) for judicial review of the Commissioner's decision to deny social security benefits. Doc. 1. The case was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636(b). Doc. 3.

On May 21, 2022, the magistrate judge issued a report recommending that the Commissioner's decision be affirmed and the case dismissed with prejudice. Doc. 18. Plaintiff submitted objections on June 3, 2022. Doc. 19. The court reviews objected-to portions of the magistrate judge's report and recommendation de novo. Fed. R. Civ. P. 72; 28 U.S.C. § 636(b)(1).

Plaintiff argues that the ALJ's mental residual functional capacity determination is not supported by substantial evidence because the ALJ failed to apply the correct legal standard when considering Dr. Morgan's opinion. Doc. 19. Plaintiff re-asserts her argument that the ALJ ignored evidence supporting her allegations and Dr. Morgan's opinion and improperly relied on state agency consultant opinions that were nothing more than a re-interpretation of Dr. Morgan's report. Plaintiff characterizes the report as a "rubber stamp" of the ALJ's decision.

The record reveals that the ALJ properly considered Dr. Morgan's opinion pursuant to the revised rules for the consideration and articulation of medical opinions for claims filed after March 27, 2017, and found the opinion unpersuasive. 20 C.F.R. §404.1520c. As


detailed in the report, the ALJ considered evidence supporting plaintiff's allegations and showing significant limitations, as well as evidence showing conservative treatment, controlled symptoms with medication, and no hospitalizations for mental impairments. The ALJ properly considered the consistency and supportability of Dr. Morgan's opinion and fully explained his reasoning for finding the opinion unpersuasive.

Further, the record does not support plaintiff's assertion that the state agency consultant opinions are improper re-interpretations of Dr. Morgan's opinion. The consultants considered other evidence and explained the likelihood that plaintiff would function at a higher level with treatment than she presented to Dr. Morgan. Dr. Morgan similarly concluded that treatment would impact plaintiff's functional level. Doc. 11-10 at 54.

The ALJ considered the record as a whole and explained the basis for his RFC finding. Moreover, far from a "rubber stamp," the report thoroughly summarized the record of medical evidence and plaintiff's allegations and considered the ALJ's findings in full. The ALJ's RFC determination is supported by substantial evidence.

Having reviewed the magistrate judge's report de novo, and being satisfied that it contains no error, the court overrules plaintiff's objections and accepts the report's findings and recommendation (Doc. 18). The court affirms the Commissioner's final administrative decision and dismisses this action with prejudice. Any pending motions are denied as moot.

So ordered by the court on June 16, 2022.



J. CAMPBELL BARKER
United States District Judge